IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 235 OF 2006

1. Kishore Anantrai Sanghavi,
2. Ramesh Anantrai Sanghavi,
3. Ms.Anuradha Ramesh Sanghavi,
4. Jairaj Harshad Sanghavi,
5. Kanaiyalal Gulabrai Sanghavi. ...Applicants

V/s.

State of Maharashtra. ...Respondents

Mr.Ajit Jakhadi for Applicants.
Ms.R.M. Gadhavi, APP for State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 20, 2006

P.C. :-

. Heard learned Counsel for the applicants and learned APP for the State.

. This is an application for anticipatory bail by the applicants who have a genuine apprehension that they are likely to be arrested in connection with an offence which is registered with Ambreli Police Station, Gujarat State.

2. It is the case of the applicats that they had purchased a property at Ambreli and it was under lock

and key and they are not residing there and they are permanently residing in Mumbai. However, when they had gone to Ambreli and had visited the premises, they found that it was encroached by some persons. They, therefore, lodged the complaint at Ambreli Police Station. Thereafter, after their return, they found that a counter-complaint had been filed by one of the persons who had encroached the property and that they are likely to be arrested in connection with the said counter complaint.

3. Since the complaint is registered in the State of Gujarat, this Court does not have jurisdiction to entertain the application for anticipatory bail since it does not have jurisdiction to pass such an order. However, considering the equivalent facts and circumstances of the case, the applicants can be granted limited protection in order to enable them to approach the Gujarat High Court and apply for anticipatory bail in the said Court. In the result, the following order is passed :-

4. The applicants not to be arrested by the City Police Station, Ambreli in connection with an offence which is registered for the offence punishable under Sections 327, 504, 114 read with Section 34 of the IPC, for a limited period for four weeks from today. Liberty to the applicants to apply for anticipatory bail before the appropriate Court in Gujarat.

. With these directions, the application is disposed of.

. Parties to act on the authenticated copy of this order.

(V.M. KANADE, J.)